

PUBLIC HEARING--August 18, 1965

Appeal #8320 Robert F. Martin, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on August 25, 1965:

ORDERED:

That the appeal for a variance from the use provisions of the R-2 District to permit a three-story apartment building with a total FAR not to exceed 1.14 adjoining 4414 Foote Street, N.E., lots 803 and 21, square 5130, be denied for the following reasons:

(1) As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board was unable to find and appellant was unable to prove that by reason of exceptional narrowness, shallowness or shape of the specific piece of property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the property, that a denial of this appeal would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner.

(2) The Board is of the opinion that appellant can utilize the property for its zoned purpose, i.e. R-2 by the erection of a semi-detached dwelling. It is further our opinion that there is nothing unusual in the shape of the lot which is rectangular in shape and there are no extraordinary topographical conditions, and further, the lot which is 34 feet in width permits the erection of a semi-detached dwelling and provide the necessary eight foot side yard and still provide a dwelling 26 feet in width.

(3) In view of the above it is the Board's further opinion that this relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and ~~an~~ map.

(4) There was no objection to the granting of this appeal registered at the public hearing.